

## **REMARKS**

No claims have been canceled, amended or added in this paper. Therefore, claims 1-45 are pending. Of these claims, claims 8 and 14-40 have been withdrawn as being directed at a non-elected species, as discussed further below. Therefore, claims 1-7, 9-13 and 41-45 are under active consideration.

In the outstanding Office Action, the Patent Office communicates, in pertinent part, the following restriction requirement:

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species (I) directs to an arrangement of lenses and prisms as shown in figures 1-3;

Species (II) directs to an arrangement of lenses and prisms as shown in figures 4-9;

Species (III) directs to an arrangement of lenses and prisms as shown in figure 10;

Species (IV) directs to an arrangement of lenses and prisms as shown in figure 11;

Species (V) directs to an arrangement of lenses and prisms as shown in figure 12; and

Species (VI) directs to an arrangement of lenses and prisms as shown in figure 13.

In response to the above requirement, Applicant respectfully elects Species (I), the arrangement of lenses and prisms as shown in Figs. 1-3. Claims 1-7, 9-13 and 41-45 are readable on the elected species.

However, the above election is made with traverse. MPEP 803 provides that, for restriction to be proper, the following two criteria must be met: (i) the inventions must be independent or distinct as claimed; and (ii) there would be a serious burden on the examiner if restriction is not required. Applicants respectfully submit that the Patent Office has failed to establish that, in the present case, criterion (ii) above is met.

The foregoing traversal is not to be considered an admission that the above species are patentably indistinct.


It is respectfully submitted that the present application is now in condition for allowance. Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

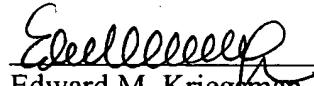
Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 22, 2006.

  
Edward M. Kriegsman